

MINUTES OF THE CITY PLANNING COMMISSION SPECIAL MEETING

J. MARTIN GRIESEL ROOM

March 28, 2003

9:00 AM

Present: Appointed Members: Pete Witte, Caleb Faux, Terry Hankner, Jackie McCray; Councilmember Tarbell; Water Works Director David Rager; Community Development and Planning Staff: Peg Moertl, Director

Ms. Hankner called the meeting to order.

DISCUSSION:

Ms Hanker stated that the changes that have been made since the last meeting are what is to be discussed.

Peg Moertl advised everyone that at 10:00 A.M. there would be a shelter in place drill so the building will be locked down.

Bill Davin with Vandercar stated that Vandercar met with the city staff on two occasions and discussed ways to improve the overall aesthetics of the retail development. Mr. Davin passed out a new packet showing most of the changes. Ideas that were discussed at the 3/21/03 Planning Commission meeting such as landscape islands in the parking lot, planters along the front of the building and some dock walls along the refuse area and the dock area have been incorporated into the revised plan. Certain changes that the staff requested could not be incorporated into the drawings. Vandercar feels that the coordinated retail development will improve the existing neighborhood and be an amenity to the residents of the City of Cincinnati. Significant and costly changes to the exterior skins of the building, the landscaping, the signage and the lighting have been made. Vandercar was able to work with PetsMart and have added articulation and color differentiations. The same changes are used on Circuit City and the Expo. Mr. Davin stated that Vandercar hopes the Planning Commission approves the site development plan.

Jack Martin, Department of Transportation, stated that his understanding was to not apply the T zone guidelines to the development. Mr. Martin stated that he looked at the draft zoning code to see how this might apply to a commercial auto oriented district. There are requirements in the draft code for ground floor transparencies, which this development couldn't meet under the current situation. Mr. Martin looked at doing some landscaping and screening in front of the building.

Mr. Martin stated that this development is well in excess of the parking requirements of the current and draft code.

Mr. Martin stated that he could not improve on the perimeter landscaping and screening.

Mr. Martin stated that the draft code states that any parking lot with 40 cars is supposed to have an internal island where cars would abut each other, landscape areas or trees planted at the end of each row of cars. The islands provide green space and provide circulation through a parking lot. The only thing lacking would be the internal islands separating the head in cars parking and some landscaping on the far ends. Due to stormwater detention being located at the northern end of the parking lot, no trees or anything significant could be placed at the northern end of the rows. The internal islands prevent people from driving diagonally across the parking lot and channel traffic and organize the whole system.

Ms. Hankner asked if Expo was approached to add some trees to look as good as their neighbor. Mr. Davin responded that Expos said no.

Mr. Martin stated that he was concerned about the facade because there is a 26-foot sidewalk in front that serves no purpose. Mr. Martin tried to make it more pedestrian oriented to encourage people to walk back and forth and treat it as a street with street trees along the front. There is room for an 8 – 10 foot planting area in front of the building.

Mr. Martin stated that there is a safety issue with head in parking off of a main drive where possibly 50% of the people could be using this main drive. Mr. Martin stated that he pulled the building out and pushed the building in keeping the same square footage but changing the building footprint. Mr. Martin stated that he was able to create a sidewalk with street trees to screen the side of the building and move the parking to the front and get rid of the head in parking off the main drive. This did not fit the prototype.

Mr. Martin suggests flipping the trash compactor with the transformer for easier loading and allowing more green space.

Mr. Davin stated that there is a call into Cinergy about relocating the transformer. With the approval of Cinergy, Vandercar has no problem flipping the trash compactor with the transformer and screening the south side of the wall. Mr. Davin stated that there is no flexibility with the PetsMart prototype.

Mr. Tarbell suggested pulling in the parking row one space on each end to soften up the edge to make a stronger statement.

Shannon Cathey, 6900 Tylersville Road, Mason, Ohio 45209, stated that for the end island she has selected a year round tree with a 3 inch caliper, height of 10 to 12 feet and canopy width is about 6 feet wide which will somewhat obscure the building. At eye level, there are two series of shrubs and ornamental grasses. During the spring and summer, in the front, there is approximately 32 square feet of annual perennial color of pinks and yellows. To keep the area full all year round, on the two to four foot level there are evergreen shrubs. The screening between this development and Jerusalem Judson Village will be large trees with full heads and Norway Spruces and large evergreen shrubs.

Martha Kelly, Transportation and Planning, stated that a letter was sent on March 14, 2003 to the City Planning Commission with some transportation issues that should be incorporated into the site plan:

- The type of driveway at Alamo, right in, right out driveway, with a one inch set up.
- The driveway on the north end of Calvert will also be a standard driveway with a one inch set up.
- The pedestrian access is addressed by providing a four-foot tree lawn and a five-foot sidewalk all around the site on Alamo, Ibsen and Calvert.
- The vacation of Browning and Calvert will move forward and be approved and as part of the condition of the vacation of the northern end of Calvert, Transportation and Engineering required the construction of a t-turnaround which is shown on the drawings but not to any detail.
- The traffic impact study indicates that the traffic volumes are such in Phase II that an additional lane is required on Ibsen at Ridge either on the southwest or the northeast corner to provide a right lane turn to line up the intersection; part of the signals and pavement markings would have to be redone.

Ms. Kelly stated that these recommendations need to be attached to the right-of-way engineering drawings.

Mr. Tarbell made a motion to approve the site plan incorporating the recommendations from Traffic Engineering. Mr. Faux objected to the motion on the basis that citizens who attended had not been heard.

Mr. Faux stated that the developer has included a great deal of amenities that were not included in the first phase of the project. Mr. Faux acknowledged that his objection to the development is based on the conceptual nature of what is being proposed and not so much on the details.

Dave Rager asked if the street vacation would be before the Planning Commission on a later date.

Ms. Kelly responded that the partial vacation of Calvert and Browning would be back before the Planning Commission.

Jim Piepenbrink, Executive Director, Jerusalem Judson Meadows Apartments, stated that Jerusalem Judson Meadows Apartments opened in 1998 and serves low income seniors. Jerusalem Judson Meadows are cautiously pleased with some of the changes that have been made to buffer Jerusalem Judson Meadows. Jerusalem Judson Meadows is in opposition to removing the R-5(T) zoning requirements because this will jeopardize the viability of the property and the quality of life of the residents. Mr. Piepenbrink mentioned that HUD has written to the City Manager voicing their

opposition for the same reasons. Peg Moertl stated that she distributed a letter to the Commission members that was received from HUD. Ms. Moertl wants to reiterate that the site plan approval does not remove the R-5(T) guidelines from the Jerusalem Judson Meadows site.

Sue Doucleff, 3314 Alicemont Avenue, 45209, stated that the Oakley Community Council continues to be in opposition, as the board has not had a chance to see the new plan. Ms. Doucleff stated that three board members are in attendance but cannot speak for the 12 members. Ms. Doucleff is concerned that landscaping is temporary and asked if there is any guarantee that the landscaping will be replaced as needed and maintained. Ms. Hankner asked if there are provisions in the lease agreements for maintenance of the landscaping. Mr. Smyjunas responded that the Center of Cincinnati has sprinkler systems, as there is a tremendous investment in the landscaping. There is a provision in the leases that the tenants pay a prorated share for the upkeep of the common areas. Vandercar will remain responsible for maintenance of the common areas. Ms. Doucleff stated if the ownership should change, she wants a guarantee that the current revisions to the development remain in perpetuity. Ms. Doucleff opposes any change to B-3.

Mr. Rager stated that the new code relies heavily on landscaping and asked if not maintaining the landscaping would be a zoning violation. Mr. Ryder responded that the new code would not apply but recommends that a maintenance covenant be obtained by the director of Buildings and Inspections. Mr. Ryder cautioned that there are a number of covenants in place and the Department of Buildings and Inspections is not generally in the position to initiate enforcement of the covenants but is done on a complaint basis.

Mr. Faux stated that this is not an ideal solution and he is concerned about the next phase. Mr. Faux would like to hear commitments from the developer and the city.

Mr. Smyjunas stated that in a few weeks they would bring conceptual plans for the north side of Alamo and with a development agreement stating what would be needed to facilitate the development. Mr. Smyjunas stated they are asking the city to enter into a development agreement for some of the infrastructure of the roads.

Ms. Kelly stated that in the absence of a development agreement, it is standard practice that the infrastructure improvements that are needed because of a development are borne by the developer.

Motion: Mr. Tarbell moved to approve the site plan including the recommendations from the Department of Transportation and Engineering, a maintenance covenant for landscaping and the developer pursue all good faith efforts to relocate the transformer and the compactor.

Second: Mr. Witte

Vote: Ayes (5-1), motion carries.

ADJORNMENT

With no further business to consider, the meeting was adjourned.

Margaret M. Moertl, Director
Community Development & Planning

Terry Hankner, Pro Tem Chairman

Date:_____

Date:_____